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March 2, 2005

United States Department of Commerce  
US Patent and Trademark Office  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450  
Attn: Emmanuel M. Marcelo

Subject: Application #10/667,673

Dear Mr. Marcelo,

I read your communication dated 2/11/05 and have outlined below my comments.

I do not believe the interpretation is correct for several reasons.

The file attached for reference as "prior art" does not apply because the lifting tong is of a completely different style. While the unit is lifted by a hoist its design is totally different than the slab tong I submitted. The slab tong I submitted is indeed lifted by a hoist also, however that hoist is not part of the unit, it is part of the overhead crane - the same as the slab lifter you used as "prior art". My tong is different because it is a scissor type lifter and it actually has a hoist mechanism onboard for opening and closing the unit.

What my application was designed to convey was basically new use of existing technology and the first of its kind as related to this traditionally styled tong. The "prior art" conveys a custom piece of equipment for an automated application and does not use a hoist for opening and closing of the unit but rather for lifting and lowering. Nor is the type of tong even remotely similar to my traditionally styled unit. And as far as I can tell, nor was a flux vector drive applied to the opening and closing of the unit.

The hoist operated scissor style tong is a completely different animal. The design has been around for at least 50-60 years but it has never been designed or built with a Flux vector drive. This drive technology provides certain qualities and features not available with the traditional hoists.

Consequently, I believe perhaps the application is being interpreted incorrectly.

I await your response or you can call me at 724-941-1433 during working hours EST.

John Barney